

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON OCTOBER 19, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: DEPARTMENT OF HUMAN RESOURCES...RESOLUTION AUTHORIZING PARTICIPATION IN THE BEXTRA AND CELEBREX SETTLEMENT – CLASS ACTION AND TRICOR INDIRECT PURCHASER ANTITRUST LITIGATION AS A CLASS MEMBER...09-1016-002...RATIFIED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert E. Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to authorize participation in the Bextra and Celebrex Settlement – Class Action and TriCor Indirect Purchaser Antitrust Litigation as a self insured class member for the purpose of securing the County’s portion of the Settlement Funds established by the defendant organizations and to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to submit claims on behalf of the County by executing the Bextra and Celebrex Settlement Third-Party Payor Claim Form and the TriCor Indirect Purchaser Antitrust Litigation Third-Party Payor Claim Form pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: MAINTENANCE AGREEMENTS FOR VARIOUS DEPARTMENTS FOR THE PROVISION OF MAINTENANCE ON OFFICE EQUIPMENT...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to approve Maintenance Agreements with various vendors for the provision of maintenance on the following equipment at the rates and the terms outlined below pursuant to the terms and conditions set forth therein and to authorize David L. Spinney, County Administrator, to execute the Maintenance Agreements and the Rider for Equipment Maintenance Agreements attached thereto:

| Elected Official or Department | Vendor | Equipment/Model #/ Serial Number(s) | Rate | Term |
|--|--|--|---|---------------------------------|
| Clermont County Probate Court DC# 09-1009-003 | Tronitech, Inc. 8719 Boehning Lane Indianapolis, Indiana 46219 | Minolta MSP2000 Scanner/Printer System S/N: 32002846 | \$1,366.39 plus \$0.02 per copy in excess of 30,000 scans | 12/15/09 through 12/14/10 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2009...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2009 (Resolution Number 194-08) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009:

| | | | |
|------------------|---|---------------|-----------------------------------|
| \$ 9,345.00 | Narcotics Unit Law Enforcement Trust Fund | 241-4192-7000 | Reimbursements/Transfers/Advances |
|------------------|---|---------------|-----------------------------------|

CASH TRANSFER OF FUNDS:

| | |
|----------------|--|
| \$ 512.65 | From General Fund 100-1308-7220-5695 to Public Assistance Fund 204-0204-4811 |
| \$ 26.61 | From General Fund 100-1308-7220-5695 to Real Estate Assessment Fund 205-0205-4811 |
| \$ 5,422.42 | From General Fund 100-1308-7220-5695 to Motor Vehicle & Gasoline Tax Fund 206-0206-4811 |
| \$ 433.80 | From General Fund 100-1308-7220-5695 to Juvenile Mediation Fund 207-0207-4811 |
| \$ 6,342.26 | From General Fund 100-1308-7220-5695 to Community Transportation Connection Fund 218-0218-4811 |
| \$ 5,203.84 | From General Fund 100-1308-7220-5695 to Narcotics Unit Fund 232-0232-4811 |
| \$ 48.79 | From General Fund 100-1308-7220-5695 to TASC Fund 254-0254-4811 |
| \$ 26.61 | From General Fund 100-1308-7220-5695 to Municipal Court Computerization Fund 259-0259-4811 |
| \$ 57.66 | From General Fund 100-1308-7220-5695 to Common Pleas Computerization Fund 262-0262-4811 |
| \$ 1,913.14 | From General Fund 100-1308-7310-5695 to Water Revenue Fund 601-0601-4811 |
| \$ 6,301.10 | From General Fund 100-1308-7310-5695 to Sewer Revenue Fund 602-0602-4811 |
| \$ 529.43 | From General Fund 100-1308-7310-5695 to Water & Sewer Combined Services Fund 603-0603-4811 |
| \$ 615.16 | From General Fund 100-1308-7261-5695 to Environmental Health Fund 708-0708-4811 |
| \$ 61.75 | From General Fund 100-1308-7250-5695 to Fleet Maintenance Fund 811-0811-4811 |

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: TRAINING AND TRAVEL REQUEST...REIMBURSEMENT OF
EXPENSES RELATIVE TO SAME...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following request for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2009 and any and all amendments subsequent thereto:

BOARD OF COUNTY COMMISSIONERS

Edwin H. Humphrey: Four (4) days – Columbus, Ohio – County Commissioners Association of Ohio/County Engineers Association of Ohio Annual Winter Conference – Total expenses not to exceed \$1,261.50.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Abstained.

IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2009 and any and all amendments subsequent thereto:

CLERMONT COUNTY COURT OF COMMON PLEAS/DOMESTIC RELATIONS DIVISION

Judge Michael J. Voris, Michael Finney, and Deborah Cadwallader: One (1) day – Lebanon, Ohio – Ohio Child Support Enforcement Director's Association Child Support Summit – Total expenses not to exceed \$194.00.

CLERMONT COUNTY MUNICIPAL COURT

Ryan Robe: Two (2) days – Mansfield, Ohio – CourtView/VistaSG Ohio User Group Event – Total expenses not to exceed \$339.00.

CLERMONT COUNTY WATER RESOURCES DEPARTMENT

J. Dwight Culbertson, Doug Martin, Dan Bailey, Dave Linville, Greg Costello, Ed Weigel, Jim Pindell, Giles Thrift and William Beyer: One (1) day – Cincinnati, Ohio – Southwest Ohio Water Environment Association's Plant Operations Seminar & Sectional Meeting – Total expenses not to exceed \$450.00.

Chris O'Brien: Three (3) days – Cincinnati, Ohio – Rockwell Automation DeviceNet and RSNetWorx Configuration and Troubleshooting Course – Total expenses not to exceed \$1,460.00

Wes Fritts and Jason Simpson: One (1) day – Lebanon, Ohio – Ohio Local Technical Assistance Program 2009 PVC Pipe Workshop – Total expenses not to exceed \$110.00.

DEPARTMENT OF JOB AND FAMILY SERVICES

Brenda Gilreath and Jemina Ott: One (1) day – Columbus, Ohio – Ohio Child Support Director's Association General Membership Meeting – Total expenses not to exceed \$110.00.

Tim McCartney: One (1) day – Lima, Ohio – Ohio Department of Job and Family Services Directors' Association Fiscal Seminar – Total expenses not to exceed \$130.00.

BUILDING INSPECTION DEPARTMENT

Jerry Wear and Robert Malin: One (1) day – Sharonville, Ohio – Southwestern Ohio Building Officials Association Seminar – Total expenses not to exceed \$50.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: PERSONNEL ACTION FORM...APPROVED

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

LET THE RECORD SHOW: That following office holders appeared before the Board of County Commissioners to discuss their 2010 annual appropriations: County Sheriff A. J. Rodenberg, Jr., County Recorder Deborah Hall Clepper and County Treasurer J. Robert True. (DC# 09-1020-002)

County Sheriff A. J. Rodenberg, Jr. explained the impact of the 2010 Proposed Budget Appropriation for the Clermont County Sheriff's Office and Jail as follows:

If the projected 2010 budget for the Sheriff's Office and Jail is adopted, here are the ramifications:

- 3 Deputies will be laid off
- 2 Deputies will be transferred from Court Services to Road Patrol
- 1 Investigator will be reassigned to Road Patrol and investigations will be limited to felonies
- 5 Jail CO's will be laid off (4 were laid off earlier this year)
- 40 Jail beds will be closed (reduction to 248 beds from current total of 288)
- 1 Clerical employee will be laid off
- Non-union Sheriff Office and Jail staff members will be furloughed without pay for 10 days

The foregoing will significantly impact Sheriff's Office and Jail operations and negatively affect safety and security issues. Court services-security will be reduced, and criminal investigative operations will be curtailed. An additional 40 beds in the Jail will close beyond the 40 that were closed earlier this year. This will even further limit sentencing options for the judges.

In order to avoid the foregoing consequences, we would strongly urge that an additional appropriation in the amounts indicated be considered in the following amounts:

- An additional \$217,801 will be needed to avoid laying off 3 Deputies and keep Court Services staffing at its current level
- An additional \$412,644 will be needed to avoid laying off 5 Jail CO's and keep the Jail operating at its current capacity (288 beds)
- An additional \$40,000 will be needed to avoid laying off the clerical staff member
- An additional \$39,838 will be needed to furlough non-union employees only 5 days instead of 10

Discussion/Analysis:

Deputy Sheriff positions: Over the past few years TEN (10) Deputy positions have been lost due to attrition and the inability to fill such positions because of budgetary shortfalls. Fortunately, through the addition of contracts six of these positions are now funded, however, continuing economic woes could jeopardize continuing funding. (E.g. we recently lost one contract deputy in Monroe Township because of the economy; more losses could follow). We have reached a critical level in our Deputy staffing. A staffing analysis and assessment completed a few years ago found that at that time we were ELEVEN (11) Deputies short of the recommended level. With the increase in calls for service and the loss of more Deputies since then we now are probably in the range of FIFTEEN Deputies short at this time. This places both Deputies and citizens at risk. In order to partially cover shortages we will be eliminating our DARE program and assigning the DARE Deputy to Criminal Operations. We have also transferred one Deputy from Investigations to Patrol, and will be doing so with yet another investigator if the projected budget cuts materialize.

Court Services: Because of losses in Road Patrol noted above, and the necessity to staff that operation at a necessary level we have determined if cuts materialize and we have to lay off three Deputies currently assigned to Patrol it will necessary to move two Deputies out of Court Services to Patrol operations. This could compromise security-safety issues. NOTE: This year we lost one court services Deputy through attrition who could not be replaced due to budget shortfalls.

Jail: With the closure of jail beds over the past few years, most recently the 40 beds earlier this year, our current jail capacity (288 beds) is now at the level that it was approximately fifteen years ago. If the projected 2010 budget is adopted it will be necessary to lay off 5 CO's which in turn will require the closure of 40 more beds. This will even further limit sentencing options of the judges and create a potential risk for our community.

Clerical: Over the past years our clerical staffing has been at a minimal level to properly serve statutory mandates (some unfunded) and process civil process in a timely manner. A couple of years ago we are able to bring our clerical staffing up to a level that allowed us to stay abreast with increasing work and demands. The loss of a clerical staff member next year would seriously compromise our ability to perform required and necessary obligations with respect to Civil process.

Furloughs: After analyzing our projected budget we have determined that in order to avoid even further service cuts and more layoffs it will be necessary for all non-union staff members in both the Sheriff's Office and Jail to be furloughed next year for 10 days without pay. The fact that they received no pay increase this year and with the prospect of health insurance premiums rising this will have a serious impact upon these employees. Furthermore, with our workloads constantly increasing the loss of our non-union staff for an additional 10 days a year will further compromise our ability to fulfill our obligations in the affected areas. Therefore, we are recommending an additional appropriation so that furloughs can be reduced from 10 days to 5.

Collective Bargaining Ramifications: Both our Deputies and Jail CO's are unionized and their pay and benefits are determined through the collective bargaining process. Although this is designed as give and take, the final result is often beyond the control of either party. Next year most Jail CO's are to receive a 6% pay increase that was mandated following fact-finding and conciliation last year. Regardless of the funding source this increase must be paid. We have met once with the Jail union representatives and will do so again to explore options and possible alternatives to our budgetary shortfalls. Additionally, the shortfalls and cuts noted above do NOT include any pay increases for Deputies next year. Their current contract expires this December and we will soon begin negotiating a new contract with them. Should they receive a pay increase under the new contract, the shortfalls noted above will be even more significant. As with the Jail CO's we will discuss the ramifications, options, and alternatives in the hope of achieving an acceptable result.

Conclusion: As can be readily seen by the foregoing the Sheriff's Office-Jail budget and related issues are extremely complex and inter-twined. A cut or reduction in any one area of our operations has a domino effect on one and in some cases more than one other area. It is no exaggeration to describe the situation as a juggling act that frequently involves too many balls and not enough hands. My staff and I have worked diligently and continuously in an effort to find a way through this thicket. I would also like to note and express our appreciation for the cooperation and assistance other county officials and their staff in discussing the issues and exploring options and alternatives. I am hopeful that through these combined, collective, and cooperative efforts we will find an acceptable resolution to this challenge.

Respectfully,

Sheriff A.J. Rodenberg, Jr.

The County Recorder, Deborah Hall Clepper, addressed the Board of County Commissioners concerning the impact of the proposed 2010 Budget Appropriation. She explained that the staff has been reduced from ten (10) full-time employees four (4) years ago to seven (7) full-time employees today and described additional reductions in detail. A proposal includes eighty (80) hours of furlough for all employees, elimination of one (1) contract, cuts in supplies, no travel and elimination of association dues. Still her request exceeds the target by \$30,000.00. In order to meet this target, additional staff cuts will be required and she feels it would inhibit her ability to meet her statutory obligations.

The County Treasurer, J. Robert True, addressed the Board of County Commissioners concerning the impact of the proposed 2010 Budget Appropriation.

The Treasurer's Office met the budget cut target number requested by OMB of \$648,008.00 in the General Fund for 2010. This was accomplished by the retirement of two employees on September 30, 2009 and other line items described below.

| <u>General Fund</u> | <u>Appropriated 2009</u> | <u>2010</u> | <u>Reduction</u> |
|---------------------|--------------------------|--------------|------------------|
| Salaries | \$340,733.00 | \$282,730.00 | \$58,003.00 |
| Overtime | 200.00 | 100.00 | 100.00 |
| Fringe Benefits | 113,888.00 | 102,864.00 | 11,024.00 |

Purchased Services 7,764.02

Elimination of Tax Information Statement which was mailed once a year to taxpayers who have taxes escrowed by their lending institutions. This was a service to the taxpayers who never got a tax bill to see where their taxes are being spent. This could be eliminated because it is not statutorily mandated by code. The printing, stuffing and mailing will result in a reduction of \$4,289.62.

The elimination of Homestead certificates. A legislative change enabled us to eliminate this and the printing and mailing of the certificates will result in a reduction of \$3,474.42.

Supplies 16,259.55

The elimination of Tax Information Statement also will result in a reduction for forms, envelopes and postage of \$13,360.17.

The elimination of Homestead certificates will result in a reduction for forms, envelopes and postage of \$2,899.30.

Maintenance 3,175.00

\$2,675.00 of the maintenance on cashiering system can be justified to be paid from our special revenue fund 236 (DTAC).

\$500.00 of the maintenance on the Printer-Copier-Scanner can be justified to be paid from the special revenue fund 236 (DTAC).

TOTAL REDUCTIONS \$ 96,325.57

IMPACT ON THE TREASURER'S OFFICE.

- **Loss of one cashier will result in the service level to the citizens especially at tax time and also to county departments making pay-ins daily. Employees will be away from their departments longer periods of time and the citizens will be waiting in line longer.**
- **Loss of receptionist will result in calls being sent to voice mail during tax collection when the other employees are busy processing tax bills and assisting other taxpayers.**
- **Eliminating the tax information statements. About half the taxpayers in the county receive no tax bills because their lending institutions escrow their taxes. The tax information statement was mailed once a year letting the taxpayer know where their tax dollars were being spent and also assisted them with their income tax returns. This was a service the taxpayers have relied upon. The phones will be extra busy this year because of this elimination.**

The Board thanked the office holders for their cooperation in attempting to meet the proposed target for the 2010 Budget Appropriations.

LET THE RECORD SHOW: THAT THE PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS RECESSED REGULAR SESSION AT 2:18 P.M. TO BE RECONVENED LATER THIS DATE.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 2:42 P.M.

LET THE RECORD SHOW: That a motion by Mr. Proud, seconded by Mr. Croswell, to approve the minutes of Regular Session of **10/19/09** carried with all members present voting

affirmatively thereon.

LET THE RECORD SHOW: That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:43 P.M.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 10/19/09